



# STATE OF WISCONSIN Assembly Journal

## Ninety-Sixth Regular Session

MONDAY, November 17, 2003

The Chief Clerk makes the following entries under the above date:

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### ADMINISTRATIVE RULES

#### Assembly Clearinghouse Rule 03-084

Relating to uniform standards of professional appraisal practice.

Submitted by Department of Regulation and Licensing.  
Report received from Agency, November 10, 2003.

To committee on **Small Business**.

Referred on November 17, 2003.

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### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### Assembly Bill 675

Relating to: labeling of gasoline-ethanol fuel blends sold at retail.

By Representatives Hahn, Ott, Petrowski, Freese, Ainsworth, Balow, Gronemus, Stone, J. Wood, Suder, Hines, Owens, Albers, Powers, McCormick, Ward, Van Roy, Steinbrink and Musser; cosponsored by Senators Schultz, Brown and A. Lasee.

To committee on **Agriculture**.

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### COMMITTEE REPORTS

The joint committee on **Finance** reports and recommends:

#### Assembly Bill 209

Relating to: allowing an individual income tax deduction for certain amounts contributed by a great-grandparent, aunt, or uncle to a college savings account or a college tuition and expenses program.

Passage:

Ayes: 13 – Representatives Kaufert, Ward, Stone, Rhoades, D. Meyer, Berceau and Schooff; Senators Darling, Welch, S. Fitzgerald, Lazich, Kanavas and Moore.

Noes: 1 – Senator Decker.

To committee on **Rules**.

#### Assembly Bill 341

Relating to: authorizing counties to use the marriage license fee for purposes related to domestic violence and increasing the assessment imposed on persons convicted of domestic abuse offenses.

Passage:

Ayes: 15 – Representatives Kaufert, Ward, Stone, Rhoades, D. Meyer, Berceau and Schooff; Senators Darling, Welch, S. Fitzgerald, Lazich, Harsdorf, Kanavas, Decker and Moore.

Noes: 0.

To committee on **Rules**.

#### Assembly Bill 411

Relating to: an exemption from requirements for nonmetallic mining reclamation.

Assembly Amendment 1 adoption:

Ayes: 14 – Representatives Kaufert, Stone, Rhoades, D. Meyer, Berceau and Schooff; Senators Darling, Welch, S. Fitzgerald, Lazich, Harsdorf, Kanavas, Decker and Moore.

Noes: 0.

Passage as amended:

Ayes: 11 – Representatives Kaufert, Stone, Rhoades and D. Meyer; Senators Darling, Welch, S. Fitzgerald, Lazich, Harsdorf, Kanavas and Decker.

Noes: 3 – Representatives Berceau and Schooff; Senator Moore.

To committee on **Rules**.

#### Assembly Bill 516

Relating to: an exemption from the requirement to obtain an air pollution construction permit for certain equipment at a nonmetallic mineral processing facility.

Passage:

Ayes: 12 – Representatives Kaufert, Stone, Rhoades and D. Meyer; Senators Darling, Welch, S. Fitzgerald, Lazich, Harsdorf, Kanavas, Decker and Moore.

Noes: 2 – Representatives Berceau and Schooff.

To committee on **Rules**.

*DEAN KAUFERT*  
Assembly Chairperson  
Joint committee on Finance

The committee on **Natural Resources** reports and recommends:

**Assembly Bill 514**

Relating to: determinations concerning the navigability of bodies of water; determinations as to whether bodies of waters are lakes or streams; procedures, requirements, and exemptions that apply to granting, modifying, and denying permits, contracts, and other approvals for activities that affect navigable waters; maintenance of bridges over navigable streams; liability for changing the courses of streams; rights of the public and riparian owners in navigable waters; elimination of obsolete provisions of ch. 30; recodification of chapter 30; the duties and powers of the department of natural resources relating to the regulation of boating; certificate of number and registration requirements for boats; equipment requirements for boats; requirements regarding boat operation; regulation of water skiing and similar activities; marking of water areas; local regulation of boating and seaplanes; placement and use of moorings; local water safety patrols; local regulations on icebound waters; boating fees charged by counties; requiring the exercise of rule-making authority; and providing a penalty.

Assembly Amendment 1 adoption:

Ayes: 10 – Representatives Johnsrud, Gunderson, Ott, Pettis, Bies, M. Williams, Black, Gronemus, Steinbrink and Miller.

Noes: 0.

Passage as amended:

Ayes: 10 – Representatives Johnsrud, Gunderson, Ott, Pettis, Bies, M. Williams, Black, Gronemus, Steinbrink and Miller.

Noes: 0.

To committee on **Rules**.

*DUWAYNE JOHNSRUD*  
Chairperson  
Committee on Natural Resources

**MESSAGE FROM THE SENATE**

By Donna J. Doyle, Assistant Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Passed and asks concurrence in:

- Senate Bill 18**
- Senate Bill 103**

Concurred in:

- Assembly Joint Resolution 57**
- Assembly Bill 165**
- Assembly Bill 251**
- Assembly Bill 255**
- Assembly Bill 507**
- Assembly Bill 611**
- Assembly Bill 656**

**Assembly Bill 657**

**ACTION ON THE SENATE MESSAGE**

**Senate Bill 18**

Relating to: nomination of major party candidates for the office of lieutenant governor and filling vacancies in certain nominations.

By Senators Roessler, Kanavas and George; cosponsored by Representatives Grothman, Foti, Jensen, Vrakas, Underheim, Owens, Jeskewitz, Gunderson, Stone, Musser, Albers, Krawczyk, Powers and Bies.

To committee on **Campaigns and Elections**.

**Senate Bill 103**

Relating to: criminal background investigations by the Department of Regulation and Licensing of applicants for certain professional credentials.

By Senators Cowles, Stepp and Hansen; cosponsored by Representatives Krawczyk, Weber, Van Roy, McCormick, Hahn, Hines, Owens and Vrakas.

To committee on **Labor**.

**ENROLLED BILLS**

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

- Assembly Bill 85**
- Assembly Bill 165**
- Assembly Bill 251**
- Assembly Bill 255**
- Assembly Bill 267**
- Assembly Bill 507**
- Assembly Bill 611**
- Assembly Bill 656**
- Assembly Bill 657**

*PATRICK E. FULLER*  
Assembly Chief Clerk

**COMMUNICATIONS**

State of Wisconsin  
Office of the Secretary of State  
Madison

To Whom It May Concern:

Acts, Joint Resolutions and Resolutions deposited in this office have been numbered and published as follows:

<u>Bill Number</u>	<u>Act Number</u>	<u>Publication Date</u>
<b>Assembly Bill 19</b> . . . . .	69 . . . . .	November 25, 2003
<b>Assembly Bill 293</b> . . . . .	70 . . . . .	November 25, 2003
<b>Assembly Bill 520</b> . . . . .	72 . . . . .	November 26, 2003

Assembly Bill 494 . . . . . 73 . . . . . November 26, 2003  
Assembly Bill 375 . . . . . 74 . . . . . November 26, 2003

Sincerely,  
DOUGLAS LA FOLLETTE  
Secretary of State

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**REFERENCE BUREAU CORRECTIONS**

**Assembly Joint Resolution 57**

1. Page 1, line 7: delete “2003” and substitute “2002”.

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**Assembly Bill 654**

1. Page 10, line 8: delete “3.” and substitute “3;”.

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**Assembly Bill 655**

1. Page 58, line 2: after “distribution” insert “one”.

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**REFERRAL OF AGENCY REPORTS**

State of Wisconsin  
Department of Administration  
Madison

October 30, 2003

To the Honorable, the Legislature:

This report is transmitted as required by s. 20.002 (11)(f), Wisconsin Statutes, (for distribution to the appropriate standing committees under s. 13.172(3), Wisconsin Statutes), and confirms that the Department of Administration has found it necessary to exercise the “temporary reallocation of balances” authority provided by this section in order to meet payment responsibilities and cover resulting negative cash balances during the month of September 2003.

On September 1, 2003, the **General Fund** cash balance closed at a negative \$400.5 million. The negative balance continued until September 22, 2003, when the fund cash balance closed at a positive \$137.4 million. The General Fund closed at an intramonth low of a negative \$654.8 million on September 15, 2003.

On September 25, 2003, the **Agricultural Chemical Cleanup Fund** cash balance closed at its monthly low of a negative \$125.0 thousand. This negative balance continued through September 30, 2003, when the balance closed at a negative \$125.0 thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

The General Fund and the Agricultural Chemical Cleanup Fund shortfalls were not in excess of the statutory interfund borrowing limitation and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund’s share. Therefore, the monthly calculation by the State Controller’s Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,  
MARC J. MAROTTA  
Secretary

Referred to committee on **Ways and Means**.

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State of Wisconsin  
Gathering Waters Conservancy  
Madison

November 1, 2003

To the Honorable, the Assembly:

It is my pleasure to share with you a report on Gathering Waters Conservancy’s activities and accomplishments for Fiscal Year 2003. This report is being submitted in accordance with the statutory requirements of s. 23.0955 (2)(b)5. Gathering Waters Conservancy has had an extremely successful year, thanks to the ongoing support of the state legislature and the Department of Natural Resources.

There are now over 50 land trusts in the state. Together these organizations have permanently protected over 125,000 acres in communities across Wisconsin. Land trusts in Wisconsin have a combined membership of 45,000 individuals and thousands of local volunteers; they have raised millions of dollars to protect critical lands that benefit the public; and they work with private landowners every day to promote stewardship and protection of our natural resources.

We look forward to continuing to work with the Department and the state legislature to achieve our mutual conservation goals. Please do not hesitate to contact me for additional information. I have also attached Gathering Waters Conservancy’s annual and financial reports for FY 2003 for your review.

Sincerely,  
VICKI ELKIN  
Executive Director

Referred to committee on **Natural Resources**.

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University of Wisconsin  
Parkside  
Kenosha

November 7, 2003

To the Honorable, the Legislature:

Attached please find the report pursuant to Chapter 118.40 (2r)(f). This report has been prepared by the Charter School Office on behalf of Chancellor Keating and is submitted to your office pursuant to s. 13.172 (2).

Should you have questions or need additional information you can contact me at UW-Parkside at 414-595-2491 or you can e-mail me at [paulh@uwm.edu](mailto:paulh@uwm.edu). Note that I am only part-time and e-mail works best for contacting me.

Individuals wishing more information about the school directly can feel free to contact the following individual:

Milton Thompson, Executive Director

21st Century Preparatory School  
1220 Mound Avenue  
Racine, WI 53404

Respectfully yours,  
*PAUL A. HAUBRICH, PH.D.*  
Charter School Consultant

Referred to committee on **Education Reform.**